

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

DOCKET NO. 1:07CV182

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	JUDGMENT BY DEFAULT,
)	
\$5,108.00, and)	ENTRY OF JUDGMENT, AND
\$2,394.00, and)	
\$2,776.00, and)	FINAL ORDER OF FORFEITURE
\$5,095.15)	
)	
IN UNITED STATES CURRENCY)	
)	
Defendant.)	

THIS MATTER is before the Court on motion of the United States for an Order directing Judgment by Default pursuant to Federal Rule of Civil Procedure 55(b)(2), and for Entry of Judgment and Final Order of Forfeiture pursuant to Federal Rule of Civil Procedure 58(a) and (b) and 18 U.S.C. §§ 981 and 1955.

For reasons stated in the Government's Motion and no further response being necessary, the Motion is allowed.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED THAT:

1. The Government's Motion for Judgment by Default, Entry of Judgment, and Final Order of Forfeiture against the **DEFENDANT PROPERTY**:

\$2,394.00 in United States Currency , seized at EGM House, 2603 Hendersonville Highway, Arden, North Carolina, on November 14, 2006; and

**\$2,776.00 in United States Currency, seized at Royal Pines Game and Pool,
3765 Sweeten Creek Road, Arden, North Carolina, on November 14, 2006,**

is hereby **GRANTED** and Judgment of Forfeiture is **ENTERED** in favor of the United States against all persons and entities in the world.

2. Any right, title and interest of all persons in the world in or to the Defendant Property is hereby forfeited to the United States, and no other right, title, or interest shall exist therein.
3. The United States Marshal is hereby directed to dispose of the forfeited Defendant Property as provided by law.

IT IS FURTHER ORDERED that the claims of Mirtayyab Muhammad Mujtaba and Farzad Akbar are **GRANTED**, and the United States is **ORDERED** to return the Defendant property as follows:

**\$5,108.00 in United States Currency, seized at the Quick Mart, 400 Mills Gap Road, Arden, North Carolina, on November 14, 2006, be returned to
MIRTAYYAB MUHAMMAD MUJTABA; and**

\$5,095.15 in United States Currency, seized at the Stop and Go No. 3, 4012 Sweeten Creek Road, Arden, North Carolina, on November 14, 2006, be returned to FARZAD AKBAR.

IT IS FURTHER ORDERED that the parties shall bear their own costs of this action, including attorney fees.

Signed: December 19, 2008



Lacy H. Thornburg
United States District Judge

